IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

WA.No. 1737 of 2007

AGAINST THE JUDGEMENT IN WP(C) NO..23282/2006 Dated 05/02/2007

APPELLANT: RESPONDENT NO.2:

THE UNIVERSITY OF CALICUT,
REPRESENTED BY ITS REGISTRAR,
CALICUT UNIVERSITY P.O.,
MALAPPURAM DISTRICT.

BY ADV. SRI.P.C.SASIDHARAN, SC, CALICUT UTY.

RESPONDENTS: PETITIONER & 1ST RESPONDENT:

1. FAROOK INSTITUTE OF MANAGEMENT STUDIES,
FAROOK COLLEGE P.O., CALICUT,
REPRESENTED BY ITS DIRECTOR PROF.K.RAVIKUMAR.

2. THE STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

R1 BY ADV. SRI.MOHAMMED NIAS. C.P.
R2 BY SENIOR GOVERNMENT PLEADER SMT.MEERA

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 20/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.A. NO. 1737 OF 2007

Dated this the 20th July, 2007

JUDGMENT

H.L.DATTU, C.J.

This appeal is directed against the orders passed by the learned single Judge in W.P.(C) No.23282 of 2006, dated 5th February, 2007.

2. Taking into consideration the fate of the students, the learned single Judge has directed the University to grant provisional affiliation. In the normal course, such a thing could not have been done by the learned single Judge. But, keeping in view the interest of the students, in exercise of its extraordinary jurisdiction, the learned single Judge has passed the impugned order.

3. Since the foundation for granting such an order by the learned single Judge is in the interest of the students, we do not intend to interfere with the said order. However, we make it clear that the orders passed by the learned single Judge shall not be treated as a precedent in any other case. With this observation, the Writ Appeal is disposed of.

4. Learned counsel, Sri.P.C.Sasidharan very fairly submits that after the disposal of the Writ Petition the University has considered the case of the respondents and has granted affiliation for the academic year 2006-07. The statement made by the learned counsel is placed on record.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/